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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 RISHARDO LAWRENCE,
12 Plaintiff,
13 v.
14 GAVIN NEWSOM, et al.,
15 Defendants.
16

No. 2:22-CV-1975-WBS-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding with retained counsel, brings this civil rights action
18 pursuant to 42 U.S.C. § 1983.

19 On July 18, 2024, Defendants filed a motion to dismiss. See ECF No. 39. No
20 opposition was filed on behalf of Plaintiff, and on September 10, 2024, the Court issued findings
21 and recommendations that Defendants' unopposed motion be granted. See ECF No. 43. On
22 October 23, 2024, Plaintiff's wife, Patricia Lawrence, filed a notice on the Court's docket that
23 Plaintiff's retained counsel, John E. Stringer, Esq., died on August 6, 2024. See ECF No. 44.
24 Given that Plaintiff was not represented at the time an opposition to Defendants' motion to
25 dismiss was due, the Court will vacate the September 10, 2024, findings and recommendations
26 and provide Plaintiff an opportunity to file an opposition brief, either by way of newly retained
27 counsel or pro se.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations issued on September 10, 2024, ECF No. 43, are vacated.
2. The Clerk of the Court is directed to update the docket to reflect that Plaintiff is now proceeding pro se and that his address is as follows:

Rishardo Lawrence, CDCR No. D51075
California Health Care Facility
Post Office Box 213040
Stockton, CA 95213
3. Plaintiff's opposition to Defendants' motion to dismiss is due within 60 days of the date of this order.
4. Defendants may file a reply brief within 14 days of the date of service of Plaintiff's opposition.
5. Upon completion of briefing, Defendants' motion to dismiss will stand submitted on the papers without oral argument.

Dated: November 18, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE